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Baker-Polito Administration Files Legislation Strengthening Public Safety Requirements for Transportation Network Companies

BOSTON – The Baker-Polito Administration today filed legislation to enhance public safety requirements and empower the Department of Public Utilities to obtain enhanced ride data from TNCs in order to assist planning agencies and other state and local entities with transportation planning, congestion management and vehicle emissions tracking. *An Act Relative to Public Safety and Transparency by Transportation Network Companies* builds on one of the most stringent ride-for-hire background check systems in the country.

“Our administration is proud Massachusetts helped lead the way on background checks for the rideshare industry and today’s proposal is another important step toward ensuring public safety for riders as the TNC industry keeps growing,” **said Governor Charlie Baker**. “This proposal will provide consumers and law enforcement with important additional security measures and also collect meaningful data that will help state and municipal partners make more informed environmental and planning decisions.”

“The legislation will further ensure passenger safety and help grow these innovative transportation options in a responsible, strategic manner,” **said Lieutenant Governor Karyn Polito**. “By working with our partners at the local level, we have taken the steps necessary to make sure communities are equipped to make important infrastructure decisions in a strategic manner to reflect the continued growth of the rideshare industry in the Commonwealth.”

“As more and more people use ridesharing services– both as drivers and passengers– the law must keep pace with this emerging industry in order to keep the public safe,” **said Secretary of Public Safety and Security Thomas Turco**. “This timely bill would add teeth to existing ‘account renting’ laws and create a strong deterrent against misusing riders’ personal information. These are common-sense provisions to protect the riding public that that we in the public safety community strongly support.”

“As the rideshare industry continues to grow, so do the environmental impacts associated with vehicle emissions,” **said Secretary of Energy and Environmental Affairs Kathleen Theoharides**. “By requiring companies to report data for emissions tracking, the administration has taken the critical step of providing state and municipal officials with information that will continue the Commonwealth’s aggressive approach to combat and mitigate the impacts of climate change.”

While Massachusetts is widely understood to have the most comprehensive TNC safety and enforcement laws in the country, this proposal would enhance safety measures by:

- Increasing fines and penalties, up to two and half years in a House of Correction, for the practice of “account renting,” or allowing another individual to utilize a TNC driver’s account or identity, to provide TNC services.
- Making it a criminal offense for a driver to exploit the personal information of a rider to stalk, harass or defraud a rider.
- Implementing tougher penalties for drivers who:
 - Fail to maintain a driver certificate or a background check clearance certificate
 - Fail to display TNC vehicle decals
 - Fail to maintain adequate insurance, or carry proof of a TNC vehicle inspection

In conjunction with safety proposals, today’s legislation also allows for new transportation data to be collected from TNCs and eases the administrative burden on small towns. Specifically, the bill will:

- Authorize the DPU to obtain more detailed trip data from TNCs on a monthly basis that can then be shared in an anonymous and confidential manner with state agencies, municipalities and local organizations for planning purposes.
 - The more detailed data called for in this legislation includes: total miles and minutes when drivers are en route to pick up riders and when they are providing rides; whether riders were successfully matched for shared rides; and, additional data on accidents and reasonable accommodations.
- Allow better emission data to be collected by requiring TNCs to report the total miles and minutes that each vehicle is on the road, together with vehicle make, model and year information.
- Adjust the requirements for communities that receive \$25,000 or less from TNCs to only need to report their appropriations to the DPU once every five years, rather than every year, and allow those communities to make spending decisions on those relatively small funds without going through their local appropriation process.

The additional data will help transportation planners analyze how rides impact transportation infrastructure and the environment, and allow them to make more informed decisions about the location of dedicated bus lanes, specific investments in infrastructure, and overall impacts from vehicle emissions.

TNC rides that started in the Commonwealth increased from 64.8 million in 2017 to 83.1 million in 2018. Since January 2017, the Department of Public Utilities' Transportation Network Company Division has implemented the most comprehensive state background checks for TNC drivers in the country, and has approved over 210,500 individuals to operate as TNC drivers, though not all are currently active drivers. Drivers engaged in providing transportation services on behalf of Transportation Network Companies undergo a full state driving record and Criminal Offender Record Information (CORI) background check, including confirmation that the driver is not a registered sex offender. Additionally, drivers are subjected to a bi-annual national commercial background check conducted by the TNC companies.

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